

## A BILL

## TO BE ENTITLED

AN ACT amending certain parts of Acts 1933, 43rd Leg., p. 843, ch. 241, as amended by Acts 1934, 43rd Leg., 2nd C. S., p. 63, ch. 21, by Acts 1941, 47th Leg., p. 625, ch. 377, by Acts 1943, 48th Leg., p. 33, ch. 31, and by Acts 1961, 57th Leg., p. 264, ch. 139, § 1, particularly subsection (a) thereof, by providing for transfer to and vesting in the Department of Public Safety of the State of Texas all authority and power heretofore delegated and granted by said Acts to the Commissioner of Labor Statistics with respect to boxing contests and wrestling matches; providing for transfer of personnel, property, equipment and records now a part of and the duties, functions and responsibilities of the Bureau of Labor Statistics to and placement under jurisdiction of the Department of Public Safety; further defining its power and duties; repealing all conflicting laws but retaining in full force and effect existing provisions regulating boxing and wrestling; providing for transfer of funds credited to the Bureau of Labor Statistics to the credit of the Department of Public Safety; providing severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a) of Acts 1933, 43rd Leg., p. 843, ch. 241, § 1, as amended by Acts 1934, 43rd Leg., 2nd C. S., p. 63, ch. 21, § 1, and as further amended by Acts 1943, 48th Leg., p. 33, ch. 31, § 1 (Vernon's Penal Code of Texas, Annotated, Article 614-1(a)) be and the same is hereby amended to read hereafter as follows:

" (a) 1. The promoting, conducting or maintaining of fistic combat or wrestling matches, boxing or sparring contests or exhibitions for money remuneration, purses or prize equivalent to be received by the participants or contestants, or where an admission fee thereto or therefor is charged or received, shall be lawful in Texas, except on Sunday, subject to such supervision by the Department of Public Safety of the State of Texas pursuant to the authority and power presently delegated and granted to the Commissioner of Labor Statistics and hereby transferred from the Commissioner of Labor Statistics and delegated and granted to the Department of Public Safety of the State of Texas; provided, however, that any such contests conducted by educational institutions and/or Texas National Guard units and/or duly recognized amateur organizations shall be exempt from the provisions of this Act as specified under paragraph (b) of this section.

" 2. The Boxing and Wrestling Division of the Bureau of Labor Statistics and its personnel, property, equipment and records, now a part of the Bureau of Labor Statistics, are hereby transferred to and placed under the jurisdiction of the Department of Public Safety and all authority, powers, duties and functions provided by law and heretofore delegated to and granted to the Commissioner of the Bureau of Labor Statistics and the Bureau of Labor Statistics by and pursuant to Acts 1933, 43rd Leg., p. 843, ch. 241, as amended by Acts 1934, 43rd Leg., 2nd C. S., p. 63, ch. 21; by Acts 1941, 47th Leg., p. 625, ch. 377; by Acts 1943, 48th Leg., p. 33, ch. 31; and by Acts 1961, 57th Leg., p. 264, ch. 139, § 1; and Acts 1933, 43rd Leg., 1st C. S., p. 382, HCR No. 4, are hereby transferred to and vested in the Department of Public Safety.

" 3. Sole jurisdiction and authority is hereby vested in the Department of Public Safety to enforce the provisions of the Act regulating the promoting, conducting or maintaining fistic combats, wrestling matches, boxing or sparring contests or exhibitions for money remuneration, purse or prize equivalent to be received by the participants or contestants, or where admission fee thereto or therefor is charged or received, and it is hereby given specific authority to promulgate such rules and regulations as shall be necessary in carrying out the purposes of this Act, and shall have the power of refusal of licenses or permits to boxers, wrestlers, managers, referees, matchmakers, timekeepers, seconds or promoters if after investigation applicant or applicants are found to be of questionable character or not entitled to same under the provisions of this Act.

4. The definition of the words "boxer," "wrestler," "manager," "referee," "matchmaker," "timekeeper," "second," "promoter," together with the phrases "fistic combat," "wrestling match," "boxing contest," as used in this Act shall be accepted as defined by the National Boxing Association and the National Wrestling Association, and the rules governing ring regulations of boxing and wrestling contests or sparring contests or exhibitions, their seconds and referees shall be in accordance with those set out by the National

Boxing Association and the National Wrestling Association. ~~The~~ <sup>8.2.1</sup>  
~~definition of the phrases "Amateur Contestant" and "Amateur Con-~~  
~~tests" shall be that as set forth by the National Amateur Athletic~~  
~~Union.~~

5. If any person, firm or corporation be dissatisfied with any order, ruling or decision of the Department of Public Safety, such aggrieved party may within thirty (30) days from the entry of such order, ruling or decision, appeal therefrom to the District Court of Travis County, Texas, and such Court may hear and determine such appeal, in term time or vacation, by trial de novo. If the aggrieved party shall prevail by final judgment, a certified copy thereof shall be presented to the Department of Public Safety which shall comply with the terms thereof upon the payment of all fees incurred under the terms of this Act.

SECTION 2. All laws and parts of laws in conflict herewith are hereby repealed, provided, however, that other provisions of Acts 1933, 43rd Leg., p. 843, ch. 241, as amended by Acts 1934, 43rd Leg., 2nd C. S., p. 63, ch. 21; by Acts 1941, 47th Leg., p. 625, ch. 377; by Acts 1943, 48th Leg., p. 33, ch. 31; and by Acts 1961, 57th Leg., p. 264, ch. 139, §1; and Acts 1933, 43rd Leg., 1st C. S., p. 382, HCR No. 4 (Vernon's Penal Code of Texas Annotated, Articles 614-1(b) to and including 614-17c) are not repealed and are to remain in full force and effect save and except that all acts and actions therein prescribed by or through the Commissioner of the Bureau of Labor Statistics, the Bureau of Labor Statistics, its deputies, inspectors, representatives, employees, or agents, shall be done by and through the Department of Public Safety.

SECTION 3. For the purpose of carrying out the provisions of this Act, there is hereby transferred to the credit of the account of the Department of Public Safety of the State of Texas any moneys in the General Revenue Fund credited to the Boxing and Wrestling Division of the Bureau of Labor Statistics and/or to the Bureau of Labor Statistics for the purpose of administering and enforcing the provisions of Articles 614-1 to and including 614-17c, Vernon's Penal Code of Texas Annotated, for the remainder of the biennium

commencing on the effective date of this Act. All matters and orders pending before and made by the Commissioner of the Bureau of Labor Statistics and the Bureau of Labor Statistics and its Boxing and Wrestling Division to which this Act applies shall be deemed to be continued with like status in the Department of Public Safety.

~~SECTION~~ 4. Should any section or provision of this Act be held unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of the Act as a whole, or any part thereof, other than the portion so held to be invalid; the Legislature hereby declares that it would have passed this Act had such part been omitted.

~~SECTION~~ 5. The need to accomplish promptly the purposes of this Act and the crowded condition of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted.

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE ROOM

Date 3-27-43

HON. BYRON M. TUNNELL

Speaker of the House of Representatives.

Sir:

We, your Committee on State Affairs, to whom was referred HB No. 49, have had the same under consideration

and beg to report back with recommendation that it do pass, as amended, and be \_\_\_\_\_ printed.

  
Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.)

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.)

(11)

COMMITTEE AMENDMENT  
NO. 1

*Green*

Committee Amendment No. 1

Amend House Bill 49, by Parker, by substituting  
the words World Boxing Association for the  
words National Boxing Association wherever  
they appear in the Act.

APR 8 - 1963

DATE \_\_\_\_\_

READ AND ADOPTED

*Dorothy L. Coleman*  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

*JPH*  
*m.m.*

(2)

Amend House Bill 49, Section 4, by striking the word "shall" wherever it appears in this section and substituting in lieu thereof the word "may."

At the end of Section 4, add, "The Boxing and Wrestling Division of the Department of Public Safety is hereby authorized to make any changes in these codes which it deems in the best interest of these sports in the State of Texas."

*Dolt*

APR 8 - 1963

DATE \_\_\_\_\_

READ AND ADOPTED

*Dorothy Hallman*

CHIEF CLERK  
HOUSE OF REPRESENTATIVES

*JBH*  
*m.m.*

(3)

Amendment

Miller

Amend H. B. 49 by striking  
the last sentence in Section 4)  
thereof, beginning with the  
words "The definition of phrases"  
and ending with "National Amateur  
Athletic Union" on lines 16, 17, and  
18 of the printed bill. (P2)

APR 8 - 1968

DATE

READ AND ADOPTED

*Dorothy Hallman*

CHIEF CLERK  
HOUSE OF REPRESENTATIVES

JPH  
m.m.



By: Parker

H. B. No. 49

A BILL TO BE ENTITLED

AN ACT

amending certain parts of Acts 1933, Forty-third Legislature, page 843, Chapter 241, as amended by Acts 1934, Forty-third Legislature, Second Called Session, page 63, Chapter 21, by Acts 1941, Forty-seventh Legislature, page 625, Chapter 377, by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31, and by Acts 1961, Fifty-seventh Legislature, page 264, Chapter 139, Section 1, particularly Subsection (a) thereof, by providing for transfer to and vesting in the Department of Public Safety of the State of Texas all authority and power heretofore delegated and granted by said Acts to the Commissioner of Labor Statistics with respect to boxing contests and wrestling matches; providing for transfer of personnel, property, equipment and records now a part of and the duties, functions and responsibilities of the Bureau of Labor Statistics to and placement under jurisdiction of the Department of Public Safety; further defining its power and duties; repealing all conflicting laws but retaining in full force and effect existing provisions regulating boxing and wrestling; providing for transfer of funds credited to the Bureau of Labor Statistics to the credit of the Department of Public Safety; providing severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (a) of Acts 1933, Forty-third Legislature, page 843, Chapter 241, Section 1, as amended by

Acts 1934, Forty-third Legislature, Second Called Session, page 63, Chapter 21, Section 1, and as further amended by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31, Section 1 (Vernon's Penal Code of Texas, Annotated, Article 614-1(a)) be and the same is hereby amended to read hereafter as follows:

"(a) 1. The promoting, conducting or maintaining of fistic combat or wrestling matches, boxing or sparring contests or exhibitions for money remuneration, purses or prize equivalent to be received by the participants or contestants, or where an admission fee thereto or therefor is charged or received, shall be lawful in Texas, except on Sunday, subject to such supervision by the Department of Public Safety of the State of Texas pursuant to the authority and power presently delegated and granted to the Commissioner of Labor Statistics and hereby transferred from the Commissioner of Labor Statistics and delegated and granted to the Department of Public Safety of the State of Texas; provided, however, that any such contests conducted by educational institutions and/or Texas National Guard units and/or duly recognized amateur organizations shall be exempt from the provisions of this Act as specified under paragraph (b) of this Section.

"2. The Boxing and Wrestling Division of the Bureau of Labor Statistics and its personnel, property, equipment and records, now a part of the Bureau of Labor Statistics, are hereby transferred to and placed under the jurisdiction of the Department of Public Safety and all authority, powers, duties and functions provided by law and heretofore delegated to and granted to the Commissioner of the Bureau of Labor Statistics and the Bureau of Labor Statistics

by and pursuant to Acts 1933, Forty-third Legislature, page 843, Chapter 241, as amended by Acts 1934, Forty-third Legislature, Second Called Session, page 63, Chapter 21; by Acts 1941, Forty-seventh Legislature, page 625, Chapter 377; by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31; and by Acts 1961, Fifty-seventh Legislature, page 264, Chapter 139, Section 1; and Acts 1933, Forty-third Legislature, First Called Session, page 382, House Concurrent Resolution No. 40, are hereby transferred to and vested in the Department of Public Safety.

"3. Sole jurisdiction and authority is hereby vested in the Department of Public Safety to enforce the provisions of the Act regulating the promoting, conducting or maintaining fistic combats, wrestling matches, boxing or sparring contests or exhibitions for money remuneration, purse or prize equivalent to be received by the participants or contestants, or where admission fee thereto or therefor is charged or received, and it is hereby given specific authority to promulgate such rules and regulations as shall be necessary in carrying out the purposes of this Act, and shall have the power of refusal of licenses or permits to boxers, wrestlers, managers, referees, matchmakers, timekeepers, seconds or promoters if after investigation applicant or applicants are found to be of questionable character or not entitled to same under the provisions of this Act.

"4. The definition of the words 'boxer,' 'wrestler,' 'manager,' 'referee,' 'matchmaker,' 'timekeeper,' 'second,' 'promoter,' together with the phrases 'fistic combat,' 'wrestling match,' 'boxing contest,' as used in this Act, may be accepted as

defined by the World Boxing Association and the National Wrestling Association, and the rules governing ring regulations of boxing and wrestling contests or sparring contests or exhibitions, their seconds and referees may be in accordance with those set out by the World Boxing Association and the National Wrestling Association. The Boxing and Wrestling Division of the Department of Public Safety is hereby authorized to make any changes in these codes which it deems in the best interest of these sports in the State of Texas.

"5. If any person, firm or corporation be dissatisfied with any order, ruling or decision of the Department of Public Safety, such aggrieved party may within thirty (30) days from the entry of such order, ruling or decision, appeal therefrom to the District Court of Travis County, Texas, and such Court may hear and determine such appeal, in term time or vacation, by trial de novo. If the aggrieved party shall prevail by final judgment, a certified copy thereof shall be presented to the Department of Public Safety which shall comply with the terms thereof upon the payment of all fees incurred under the terms of this Act."

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed, provided, however, that other provisions of Acts 1933, Forty-third Legislature, page 843, Chapter 241, as amended by Acts 1934, Forty-third Legislature, Second Called Session, page 63, Chapter 21; by Acts 1941, Forty-seventh Legislature, page 625, Chapter 377; by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31; and by Acts 1961, Fifty-seventh Legislature, page 264,

Chapter 139, Section 1; and Acts 1933, Forty-third Legislature, First Called Session, page 382, House Concurrent Resolution No. 40 (Vernon's Penal Code of Texas Annotated, Articles 614-1(b) to and including 614-17c) are not repealed and are to remain in full force and effect save and except that all acts and actions therein prescribed by or through the Commissioner of the Bureau of Labor Statistics, the Bureau of Labor Statistics, its deputies, inspectors, representatives, employees, or agents, shall be done by and through the Department of Public Safety.

Sec. 3. For the purpose of carrying out the provisions of this Act, there is hereby transferred to the credit of the account of the Department of Public Safety of the State of Texas any moneys in the General Revenue Fund credited to the Boxing and Wrestling Division of the Bureau of Labor Statistics and/or to the Bureau of Labor Statistics for the purpose of administering and enforcing the provisions of Articles 614-1 to and including 614-17c, Vernon's Penal Code of Texas Annotated, for the remainder of the biennium commencing on the effective date of this Act. All matters and orders pending before and made by the Commissioner of the Bureau of Labor Statistics and the Bureau of Labor Statistics and its Boxing and Wrestling Division to which this Act applies shall be deemed to be continued with like status in the Department of Public Safety.

Sec. 4. Should any Section or provision of this Act be held unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of the Act as a whole, or any part thereof, other than the portion so held to be invalid; the

H. B. No. 49

Legislature hereby declares that it would have passed this Act had such part been omitted.

Sec. 5. The need to accomplish promptly the purposes of this Act and the crowded condition of the Calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted.



**The Senate of  
The State of Texas  
Austin**

GEORGE PARKHOUSE  
DISTRICT NO. 8  
3505 TURTLE CREEK  
DALLAS

May 16, 1963

To the Committee Chairman concerned:

On April 15, under Senate Rule 106, I tagged House Bill 49 and requested that I be notified in writing when the bill is set for hearing.

Very truly yours,

A large, stylized handwritten signature of George Parkhouse in cursive script.

George Parkhouse

GP/11

FILED JAN 1 8 1963

JAN 21 1963

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

MAR 27 1963 REPORTED FAVORABLY AS AMENDED SENT TO PRINTER

MAR 28 1963 RETURNED FROM PRINTER SENT TO SPEAKER

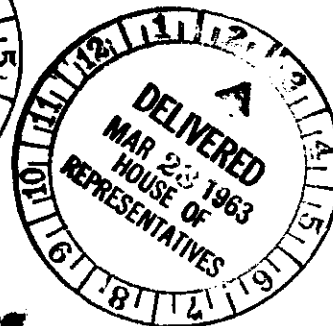
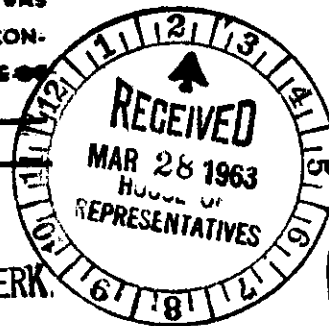
APR 8 - 1963

MOTION TO RECONSIDER THE VOTE BY WHICH HB #49 was engrossed WAS ADOPTED / PASSED AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A non-record VOTE

Dorothy Hallman  
CHIEF CLERK HOUSE OF REPRESENTATIVES

APR 8 1963

SENT TO ENGROSSING CLERK.



APR 8 - 1963

READ SECOND

TIME Amended AND

ORDERED non-record vote ENGROSSED

Dorothy Hallman

Chief Clerk, House of Representatives

HB NO. 49 BY: Parker

49 A BILL

TO BE ENTITLED

AN ACT amending certain parts of Acts 1933, 43rd Leg., p. 843, ch. 241, as amended by Acts 1934, 43rd Leg., 2nd C. S., p. 63, ch. 21, by Acts 1941, 47th Leg., p. 625, ch. 377, by Acts 1943, 48th Leg., p. 33, ch. 31, and by Acts 1961, 57th Leg., p. 264, ch. 139, §1, particularly subsection (a) thereof, by providing for transfer to and vesting in the Department of Public Safety of the State of Texas all authority and power heretofore delegated and granted by said Acts to the Commissioner of Labor Statistics with respect to boxing contests and wrestling matches; providing for transfer of personnel, property, equipment and records now a part of and the duties, functions and responsibilities of the Bureau of Labor Statistics to and placement under jurisdiction of the Department of Public Safety; further defining its powers and duties; repealing all conflicting laws but retaining in full force and effect existing provisions regulation boxing and wrestling; providing for transfer of funds credited to the Bureau of Labor Statistics to the credit of the Department of Public Safety; providing severability; and declaring an emergency.



By: Parker

H. B. No. 49

A BILL TO BE ENTITLED

AN ACT

amending certain parts of Acts 1933, Forty-third Legislature, page 843, Chapter 241, as amended by Acts 1934, Forty-third Legislature, Second Called Session, page 63, Chapter 21, by Acts 1941, Forty-seventh Legislature, page 625, Chapter 377, by Acts 1943, Forty-eighth Legislature, page 33, Chapter 31, and by Acts 1961, Fifty-seventh Legislature, page 264, Chapter 139, Section 1, particularly Subsection (a) thereof, by providing for transfer to and vesting in the Department of Public Safety of the State of Texas all authority and power heretofore delegated and granted by said Acts to the Commissioner of Labor Statistics with respect to boxing contests and wrestling matches; providing for transfer of personnel, property, equipment and records now a part of and the duties, functions and responsibilities of the Bureau of Labor Statistics to and placement under jurisdiction of the Department of Public Safety; . . . . . etc.; and declaring an emergency.

1-18-63 Filed.\_\_\_\_\_  
1-21-63 Read first time and referred to Committee on State Affairs.\_\_\_\_\_  
3-27-63 Reported favorably as amended, sent to printer.\_\_\_\_\_  
3-28-63 Returned from printer, sent to Speaker.\_\_\_\_\_  
4- 8-63 Read second time, amended and ordered engrossed by a non-record vote.\_\_\_\_\_

Dorothy Hallman  
Chief Clerk, H. of R.

4- 8-63 Sent to Engrossing Clerk.\_\_\_\_\_  
4- 8-63 Engrossed.\_\_\_\_\_

APR 9 1963  
IN THE SENATE

\_\_\_\_\_  
Received from  
the House,

Cora Lippin  
Engrossing Clerk, H. of R.

APR 9 1963 RETURNED FROM ENGROSSING

APR 9 1963 SENT TO THE SPEAKER

~~APR 9 1963~~

APR 10 1963  
\_\_\_\_\_  
Read first time

and referred to Committee

on Labor + Management  
Relations

APR 9 - 1963

Read third time

and Passed

non-record  
by following vote \_\_\_\_\_

Dorothy Hallman  
Chief Clerk  
HOUSE OF REPRESENTATIVES

APR 9 1963 SENT TO THE SENATE